

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana First Judicial District Court, County of Jefferson

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-18-003
	)	
	)	D E C I S I O N
JASON ROBERT HARRISON,	)	
	)	
Defendant.	)	

On September 26, 2018, Defendant was sentenced as follows:

Count 2: Violation of an Order of Protection, misdemeanor – 6 months to the Jefferson County jail, all time suspended;

Count 3: Violation of an Order of Protection, misdemeanor – 6 months to the Jefferson County jail, all time suspended;

Count 4: Violation of an Order of Protection, felony – 1 year to the Montana State Prison and a \$500 fine;

Count 5: Violation of an Order of Protection, felony – 1 year to the Montana State Prison and a \$500 fine;

Count 6: Violation of an Order of Protection, felony – 2 years to the Montana State Prison and a \$500 fine;

Count 12: Attempted Tampering with a Witness, felony – 5 years to the Montana State Prison and a \$500 fine.

All sentences were ordered to run consecutively. Defendant was ordered to pay \$5,589.32 in restitution. Defendant received credit for time served of 265 days.

On February 22, 2019, Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). Defendant appeared by video conferencing from Crossroads Correctional Center. Defense counsel Greg Beebe and law partner Brent Flowers were present. The State was represented by Jefferson County Deputy Attorney Andrew Paul by video conferencing. Victim Darci Harrison, her 16 year old daughter, Emma Harrison, and support person, Nicole Chandler, were present. Darci Harrison gave a statement at the hearing.

At the start of the hearing, Defense Counsel Beebe made a Motion to Continue so that his client could pursue post-conviction relief. The Division denied the Motion to Continue. Mr. Beebe then consulted with his client on whether to proceed with sentence review or withdraw his Application. Defendant chose to proceed. Defense counsel was afforded time to consult with his client privately to discuss these matters, before Defendant elected to proceed with Sentence Review.

Before hearing the Application, the Division advised the Defendant that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. Defendant was further advised that there is no appeal from a decision of the Division. Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 22<sup>nd</sup> day of February, 2019.

DATED this 26 day of March, 2019.

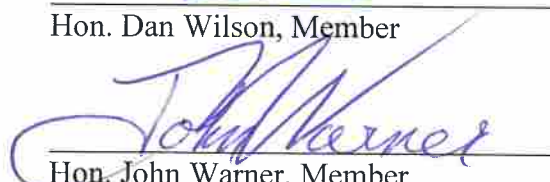
SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



Hon. Dan Wilson, Member



Hon. John Warner, Member

CERTIFICATE OF MAILING

I, Georgia Lovelady, Judicial Assistant of the Sentence Review Division of the Montana Supreme Court, hereby certify that copies of the foregoing SENTENCE REVIEW DECISION were mailed this 28<sup>th</sup> day of March, 2019, to the following:

Clerk of District Court  
Jefferson County  
P.O. Box H  
Boulder, MT 59632

Andrew W. Paul  
Jefferson County Attorney's Office  
P.O. Box H  
Boulder, MT 59632

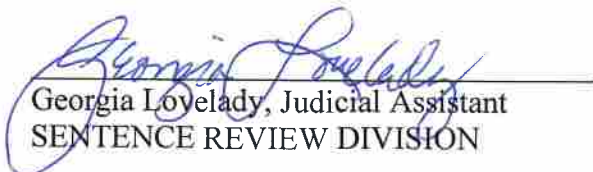
Greg Beebe  
Attorney at Law  
P.O. Box 200  
Helena, MT 59624

Jason Robert Harrison #3024845  
Crossroads Correctional Center  
50 Crossroads Drive  
Shelby, MT 59474

Hon. Luke Berger  
5th Judicial District  
P.O. Box H  
Boulder, MT 59632

Montana State Prison  
Records Department  
700 Conley Lake Road  
Deer Lodge, MT 59722

Board of Pardons and Parole  
1002 Hollenbeck Road  
Deer Lodge, MT 59722

  
Georgia Lovelady, Judicial Assistant  
SENTENCE REVIEW DIVISION